



New Jersey Department of Children and Families Policy Manual

Manual:	CP&P	Child Protection and Permanency	Effective Date:
Volume:	VIII	Special Interest Topics	
Chapter:	D	Interstate Services	2-6-2006
Subchapter:	1	General	
Issuance:	300	CP&P Requests to Out-of-State Agencies	

Types of Requests 3-27-2000

Requests made to an out-of-state agency include:

- a home evaluation of a parent, relative, or unrelated placement resource;
- courtesy supervision (see definition, [CP&P-VIII-D-1-100](#)) with periodic progress reports to CP&P; supervision of a child under CP&P supervision residing with a foster parent, who is moving to another state ;residential placement. See [CP&P-IV-E-1-200](#) and [CP&P-IV-E-1-600](#) Also see [CP&P-VIII-D-3-1300](#), Article VI Court Order;
- out-of-country placement;
- a protective services referral; See [CP&P-III-C-8-200](#);
- assistance in the return of a runaway or stranded child; or
- adoption-related matters.

When making an out-of-state agency (OSA) request, CP&P observes the provisions and procedures of the Interstate Compact on the Placement of Children. See [CP&P-VIII-D-1-200](#). In accordance with the Compact, local or central offices of other states do not accept requests directly from a Local Office. The CP&P Interstate Services Unit acts as liaison to the appropriate authorities in the other states. The Interstate Services Unit reviews and transmits the Local Office request to the Compact Administrator or similar authority in the other state for processing.

General Casework Considerations 3-27-2000

Prior to making an interstate services request, the Worker and Supervisor consider the following factors in developing the casework plan:

- the legal status of the child with CP&P (see CP&P-VIII-D-1-300);
- the appropriateness of the placement;
- the involvement of the parents;
- the permanent plan for the child;
- the availability of a suitable placement in New Jersey;
- the location of the child's parents and most of his relatives;
- the medical plan for the child;
- the special needs of the child; and
- the financial plan for the child (i.e., who will support the child's placement).

Parental Consent for Out-of-State Placement and Required Court Orders 10-24-2005

The legal status of the child with CP&P must be considered when the child requires placement out-of-state. The Worker involves the parents in planning for the child unless parental rights have been terminated. The Worker obtains parental consent for out-of-state placement using the CP&P Form [10-12](#), Consent to Out-of-State Placement. Whenever CP&P places a child in another state, its actions must be in compliance with the Interstate Compact on the Placement of Children.

Under the Compact, CP&P must also obtain a court order authorizing placement, such as an order granting CP&P custody of the child, an Order of Compliance or an Article VI Court Order.

In the Order of Compliance, the Superior Court of New Jersey, Chancery Division, Family Part, is named the "sending agency" for the child under the rules of the Interstate Compact on the Placement of Children. CP&P is ordered to serve as the "court's agent," and thereby act in compliance with the full provisions of the Compact in accordance with N.J.S.A. 9:23-5 et seq.

Obtain an Article VI Court Order when it becomes necessary for an adjudicated delinquent to be placed in a residential treatment center out-of-state. Under Article VI of the Compact, a court hearing is required before the child is placed, with notice to the parent or guardian. Before the order is signed, the judge must find that:

- Equivalent facilities for the child are not available in the State of New Jersey.

- Residential placement is in the best interests of the child.
- The facility is responsible for supervising the child and for forwarding quarterly supervisory reports to the local County Probation Department.
- The facility will promptly notify the local County Probation Department of a lack of progress which could affect the child's ability to complete the program and/or require the return of the child to the sending state.
- Institutional care in the other jurisdiction will not produce undue hardship.

See the format for the Article VI Court Order at [CP&P-VIII-D-3-1300](#).

Parental Request to Terminate Placement 2-6-2006

At the time of placement, the parent or guardian is advised of the Child Placement Review Act and his/her role in cooperating with New Jersey courts and review boards.

The parent or guardian has the right to terminate the consent to the out-of-state placement (CP&P Form [10-12](#)), a Consent to Independent Living, CP&P Form [10-8](#), and/or, for residential placement, CP&P Form [25-59](#). When the parent or guardian requests termination, CP&P must review the court order authorizing placement, the Order of Compliance, or the Article VI Order (see [CP&P-VIII-D-3-1300](#)), as applicable, to determine the appropriate action to pursue. Contact the out-of-state agency to assess the placement situation. Consult the DAG, when necessary. Within five (5) working days of the parent's request, CP&P must return the child to the parent, make other arrangements for placement, or seek to amend the court order authorizing the out-of-state placement.

When the parent or guardian requests that the child be returned home and return home is contrary to a court determination under Child Placement Review, or return is contrary to a condition of the placement plan, CP&P shall not return the child home. CP&P notifies the review board and the court of the parent's request that the child be returned home. The board conducts a review of the parent's request and makes a recommendation to the court. The court reviews the board's recommendation and issues an order concerning the child's placement. See [CP&P-IV-A-3-200](#) for policy and procedures for return home contrary to a CPR court order.

Procedures Related to Obtaining Parental Consent and a Court Order for Out-of-State Placement 2-6-2006

RESPONSIBILITY	ACTION REQUIRED
Worker and Supervisor	1. Review legal status of the child.
Assigned Worker	2. Contact parent or legal guardian to

	<p>discuss out-of-state placement.</p> <ol style="list-style-type: none"> 3. Convene a Family Team Meeting to develop a viable plan. 4. Obtain signature(s) on CP&P Form 10-12, Consent for Out-of-State Placement, from parent(s), unless parental rights were terminated. 5. Obtain signature(s) on placement agreement, CP&P Form 25-59 for residential placement, or CP&P Form 10-8 for independent living. 6. Obtain appropriate court order to authorize placement of the child out-of-state – a custody order, an Order of Compliance, or an Article VI Court Order.
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